

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

LAURA PIZZO

Plaintiff

CONSUMER PORTFOLIO
SERVICES INC.

Defendant

Civil Action No.
COMPLAINT AND DEMAND
FOR JURY TRIAL
(Unlawful Debt Collection
Practices)

COMPLAINT

INTRODUCTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter "FDCPA"), which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices.

JURISDICTION AND VENUE

2. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d), 28 U.S.C. 28 U.S.C. §1337, and supplemental jurisdiction exists for the state law claims pursuant to 28 U.S.C. 1367. Declaratory Relief is available pursuant to 28 U.S.C. §§ 2201 and 2202. Venue in this District is proper in that the defendants transact business here and the conduct complained of occurred here.

PARTIES

3. Plaintiff, Laura Pizzo, is a natural person residing at 5513 South Illinois Ave. Cudahy WI 53110
4. Defendant, Consumer Portfolio Services INC., is a corporation engaged in the business of collecting debts for others in the State of Wisconsin, with its principle place of business located at 16355 Laguna Canyon Road Irvine CA 92618-3801 and with a Registered Agent for Service of Process known as Mark Creatura at 19500 Jamboree Rd. Irvine CA 92612.

FACTUAL ALLEGATIONS

5. On or about the following dates agents, employees, independent contractors and/or others working for the Defendant contacted the Plaintiff at work, and/or Plaintiff's work supervisors and/or coworkers:
 - a. 9/14/2007 on or about 1:00 p.m.
 - b. 9/17/2007 on or about 9:32 a.m.
 - c. 9/18/2007 on or about 10:23 a.m.
 - d. 9/19/2007 on or about 1:00 p.m.
 - e. 9/20/2007 on or about 3:56 p.m.
 - f. 9/21/2007 on or about 9:33 p.m.
 - g. 9/24/2007 on or about 4:46 p.m.
 - h. 9/25/2007 on or about 8:05 a.m.
 - i. 9/26/2007 on or about 8:52 a.m.
 - j. 9/26/2007 on or about 10:58 a.m.
 - k. 9/28/2007 on or about 8:16 a.m.
 - l. 9/28/2007 on or about 9:19 a.m.
 - m. 10/01/2007 on or about 10:36 a.m.
 - n. 10/03/2007 on or about 4:02 p.m.
 - o. 10/04/2007 on or about 12:02 p.m.
 - p. 10/05/2007 on or about 8:15 a.m.
 - q. 10/08/2007 on or about 8:10 a.m.
 - r. 10/11/2007 on or about 9:31 a.m.
 - s. 10/11/2007 on or about 12:31 p.m.
 - t. 10/12/2007 on or about 9:31 a.m.
 - u. 10/15/2007 on or about 9:52 a.m.
 - v. 10/17/2007 on or about 5:03 p.m.

- w. 10/22/2007 on or about 5:28 p.m.
- x. 10/23/2007 on or about 5:10 p.m.
- y. 10/24/2007 on or about 5:35 p.m.
- z. 10/25/2007 on or about 11:24 a.m.
- aa. 10/29/2007 on or about 11:15 a.m.
- bb. 10/29/2007 on or about 6:53 p.m.
- cc. 10/30/2007 on or about 11:51 a.m.
- dd. 10/31/2007 on or about 10:41 p.m.
- ee. 11/02/2007 on or about 9:41 a.m.

Each of the above violations constitutes a separate and distinct violation under the following:

- a. 15 U.S.C. 1692c(a)(1)- Contacting the Consumer at any Unusual Time or Place (namely here the unusual place was Plaintiffs work);
 - b. 15 U.S.C. 1692c(a)(3) Contacting the Consumer's Place of Employment;
 - c. 15 U.S.C. 1692c(a)(3) Caused the Phone to Ring and Repeatedly Engaged in Telephone Conversations.
 - d. That in each instance (a-ee above) where the Plaintiff spoke with agents, employees, independent contractors and/or others working for the Defendant that they were contacting the Plaintiff at her place of work, to stop and not call anymore at her place of employment.
6. That on certain dates and during certain times set out in Plaintiff's Complaint above 5(a)- 5 (ee), that agents, employees, independent contractors and/or others working for the Defendant threatened the Plaintiff with criminal sanctions, arrest and deprivation of personal liberty in violation of:
- a. 15 U.S.C. 1692(e)(1) Communicating to the Plaintiff The False Impression that the Defendant is Affiliated with Law Enforcement.
 - b. 15 U.S.C. 1692(e)(4) Communicating to the Plaintiff the False Impression that the Nonpayment of Debt Will Result in Imprisonment

- c. 15 U.S.C. 1692(e)(8) Communicating to the Plaintiff the False Impression that the Plaintiff Committed a Crime.
7. That on 10/22/2007 and 11/12/2007 agents, employees, independent contractors and/or others working for the Defendant called the residence and/or the cellular phone of Theresa Taylor, a friend of the Plaintiff, in violation of 15 U.S.C. 1692(b)(3)

CLAIM FOR RELIEF

8. As a result of the foregoing violations of the FDCPA, Defendant is liable to the Plaintiff, for declaratory judgment that Defendant's conduct violated the FDCPA, actual damages, statutory damages, and costs and attorney's fees.

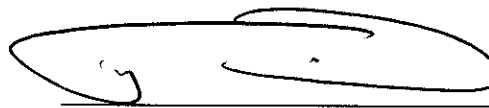
WHEREFORE, Plaintiff, Laura Pizzo, respectfully requests that judgment be entered against Defendant Consumer Portfolio Services INC and all damages allowable under law be awarded Plaintiff in conformity with this Complaint.

DEMAND FOR JURY TRIAL

Please take note that Plaintiff, Laura Pizzo demands trial by jury in this action.

Dated this 17 of September 2009

VAITYS LAW LLC
Attorneys for Plaintiff,
Laura Pizzo



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Respectfully Submitted,
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